

APR 30 2012

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN PATRICK DONOHUE, ) CASE NO. 7:12CV00073  
 )  
 Petitioner, )  
 ) FINAL ORDER  
 vs. )  
 )  
 COMMONWEALTH OF VIRGINIA, ) By: Glen E. Conrad  
 ) Chief United States District Judge  
 Respondent. )

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** as  
untimely filed, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a  
constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is

**DENIED.**

ENTER: This 30<sup>th</sup> day of April, 2012.



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Chief United States District Judge